

**ASSEMBLY BILL**

**No. 2499**

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**Introduced by Assembly Member Smyth**

February 21, 2008

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An act to amend Section 56744 of the Government Code, relating to local agency formation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2499, as introduced, Smyth. Local agency formation: incorporation or annexation.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, governs the procedures for the formation, change of organization, and reorganization of cities and special districts. That act also provides, unless otherwise determined by the local agency formation commission, that territory shall not be incorporated into, or annexed to, a city, if, as a result of that incorporation or annexation, unincorporated territory is completely surrounded by that city or by territory of that city, on one or more sides and the Pacific Ocean on the remaining sides.

This bill would delete “completely” from this prohibition and thereby provide that, unless otherwise determined by the commission, territory shall not be incorporated into, or annexed to a city if, as a result of that incorporation or annexation, unincorporated territory is surrounded by that city or by territory of that city on one or more sides and the Pacific Ocean on the remaining sides.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 56744 of the Government Code is  
2     amended to read:  
3     56744. Unless otherwise determined by the commission  
4     pursuant to subdivision (m) of Section 56375, territory shall not  
5     be incorporated into, or annexed to, a city pursuant to this division  
6     if, as a result of that incorporation or annexation, unincorporated  
7     territory is ~~completely~~ surrounded by that city or by territory of  
8     that city on one or more sides and the Pacific Ocean on the  
9     remaining sides.

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